

I have several lights on here and more going on. I don't know but I suppose that someplace along here there is nothing ~~the~~ matter with carrying on the discussion as far as the Chair is concerned, but we are on general file and there are bills up here that I understand could be debated. Now, let's see how much more comment we have. Senator Syas, just a minute. Senator Nore asked to be recognized. Then Senator Fellman, then Senator Schmit.

SENATOR NORE: Mr. President; I wanted to ask Senator Syas a question.

PRESIDENT: Alright Senator Syas will you yield to a question?

SENATOR NORE: Would it be possible for Senator Chambers to file a class action suit so that the courts would pay the expense?

SENATOR SYAS: I didn't hear his question.

SENATOR NORE: Would it be possible for Senator Chambers to file a class action suit?

SENATOR SYAS: I really don't know. This whole thing worries me just a little bit, in fact, if you remember this is where I think an advisory decision of the Supreme Court would come in handy, but this Legislature has already turned that down, now therefore, at present Senator Nore, we do not have an actual case until I think Senator Chambers, in my opinion, is until Senator Chambers actually tries to get the petition and get on the ballot. We are talking but we don't have an actual case. I wish it was possible and this is just me speaking that we could get an advisory, like Senator Carpenter has several times asked this Legislature to do, ahead of an actual case, but this Legislature saw fit not to do it so I don't know what we will do about that. Now, I might add and the reason that I was standing up is that I understand that there was a similar constitutional amendment, I think that it was in the state of New York. It is very similar to ours, and as I understand it, the Supreme Court knocked it out. The only way that I understand it is to salvage ours is by some statutory legislation. If we don't do that I think this thing is as vulnerable as can, and the amusing thing is exactly what Senator Chambers told you that if you get a Governor, he can appoint a Lt. Governor, but if you get a Lt. Governor, who in the heck is Governor. And in the fact that if they didn't run as a team, the Lt. Governor, if there was no Lt. Governor as I have repeated before continues to serve for another term. I mean we have got some real holes in this thing and I hope this discussion opens them up a little bit so that we can do something about it. Actually, this is the last time that I think we need to, I have opened it up so much Senator Chambers, I want you to be thinking if anybody else wants to talk, go ahead, but I think that this just about ends my report.

PRESIDENT: Thank you Senator Syas. Senator Fellman?

SENATOR FELLMAN: Will Senator Syas yield to a couple of questions?

PRESIDENT: He will.

SENATOR FELLMAN: Senator, did you get a specific answer from the Attorney General's office regarding first what their thoughts were on an immediate suit, either in federal court or in state court and whether they would bring one or what they would need to bring one? Or secondly, whether they would help outline some legislation to cure this?

SENATOR SYAS: Well, first let me answer your question. Secretary of State already has some legislation that he was going to, that he talked to me about, he was going to talk to the Attorney General about it.

(end of tape #10)

4451